OIPE IAP34 JAN 30 2006 PATENT & TRADEMARK OFFICE

IFW 2857

Attorney Docket No. **TELO-001/02US** **PATENT**

OIPE IAP34 JAN 30 2006 PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of **Richard P. TRACY et al.**

Serial No.:	09/822,868	Examiner:	Felix E. Suarez
Confirmation No.:	7199	Art Unit:	2857
Filed:	April 2, 2001		

For: **SYSTEM, METHOD AND MEDIUM FOR CERTIFYING AND ACCREDITING REQUIREMENTS COMPLIANCE**

U.S. Patent and Trademark Office
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Alexandria, VA 22314

INFORMATION DISCLOSURE STATEMENT

Applicants hereby submit the following information.

The assignee of the present application, Telos Corporation, is involved in a litigation (United States District Court for the Eastern District of Virginia, Civil Action No. 1:05CV05 (GBL)) with SecureInfo Corporation. Telos has asserted against SecureInfo in the litigation U.S. Pat. No. 6,901,346 (the '346 patent) from which the present application claims filing priority. Telos has also given notice of its intent to assert the present application after it issues. SecureInfo is challenging the validity of claims in the '346 patent and the present application. Publication 1 on the enclosed Form PTO/SB/08A is the Supplemental Expert Report of David C. Rine (which is incorrectly dated January 20, 2005; the correct date should be January 20, 2006), an expert report filed by SecureInfo in the litigation. In the expert report, SecureInfo's expert, David Rine, identifies seven (7) references and discusses the alleged relevance of the references to the claims of the present application. Publications 2 through 17 listed on the attached Form PTO/SB/08A were produced in connection with the expert report. Note that Publications 3 through 8 are included in the range of Bates numbers cited in the expert

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report as corresponding to Publication 2, but in fact are separate documents. Similarly, Publications 15 through 17 are included in the range of Bates numbers cited in the expert report as corresponding to Publications 14 and 16, but there are, in fact, four (4) separate documents. The undersigned has reviewed these documents and has determined that none is material to patentability. Nonetheless, in light of MPEP 2001.06(c), Applicants hereby submit the publications identified by SecureInfo prior to issuance of the above-identified application.

In addition, Applicants are submitting three other documents, Publications 18 through 20 on the attached Form PTO/SB/08A, that arose in the litigation involving the Applicants. Publications 18 and 19, similar to Publication 2, are service-branch specific predecessors to the already-cited Department of Defense Information Technology Security Certification and Accreditation Process (DITSCAP) (cited in an IDS filed on October 3, 2001). Publication 20 is a very early Certification and Accreditation document that was a predecessor to Publications 2, 18, and 19. The undersigned has reviewed these documents and has determined that none is material to patentability. Nonetheless, in light of MPEP 2001.06(c), Applicants hereby submit these publications prior to issuance of the above-identified application.

Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08A is enclosed.

Dated: January 30, 2006

Respectfully submitted,
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PTO/SB/08A (08-00)

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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/822,868
		Filing Date	April 2, 2001
		First Named Inventor	Richard P. Tracy
		Group Art Unit	2857
		Examiner Name	F. Suarez
Sheet	1 of 1	Attorney Docket Number	TELO-001/02/US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.[1]	U.S. Patent Document Number	Kind Code[2] (*if known*)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY

OTHER – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	1	Supplemental Expert Report of David C. Rine, January 20, 2005	
	2	Air Force Security Systems Instruction 5024, Vol. 1, September 1, 1997, Bates pages 956-1162	
	3	Table of Contents from 20th and 22nd National Information Systems Security Conferences, Bates pages 1163-1181	
	4	Method for Quantitative Risk Analysis, Wang Presentation and paper, Bates pages 1182-1215	
	5	National Information Infrastructure (NII) Risk Assessment, A Nation's Information at Risk, February 29, 1996, Bates pages 1216-1358	
	6	National Computer Security Center Certification & Accreditation Process Handbook for Certifiers, July 1996, Bates pages 1359-1493	
	7	Introduction to Certification and Accreditation, NCSC-TG-029 Library no. S-239,954, Version 1, January 1994 Bates pages 1494-1553	
	8	K. Frederick, Certification and Accreditation Approach, Air Force Cryptologic Support Center, (OL-FP) Bates pages 1554-1568	
✓	9	Department of Defense Information Technology Security Certification and Accreditation Process (DITSCAP) – SSAA Preparation Tool, Supplement to DoD Manual 5200.40M, May 18, 1999, Bates pages 2438-2502	
	10	K. Frederick, Information System Security Documentation – A Guide for Certification and Accreditation Bates pages 2523-2635	
	11	C. Hamilton, RiskWatch, Inc. Data Driven Security, 2002, Bates pages 33623-33677	
	12	Trident Information Protection Toolbox 2.6 Release Notes, 1998, Bates pages 33678-33697	
	13	Trident Information Protection Toolbox User's Manual, 1997, Bates pages 33698-33895	
	14	L3 Network Security Training Services, 1999, Bates pages 33896-34043	
	15	Risk Management Theory and Practice, An Operational and Engineering Support Process, March 30, 1995, Bates pages 34044-34130	
	16	L3 Network Security Expert 4.1 Comprehensive Network Risk Analysis User's Guide, 1999. Bates pages 34131-34182	
	17	L3 Network Security Business Impact Analysis Using Expert 4.0, 1999, Bates 34183-34196	
	18	Information Systems Security, Army Regulation 380-19, Headquarters for the Army Washington, DC, February 27, 1998	
	19	Information Assurance Certification and Accreditation (C&A) Publication Volume 1, Introduction to Certification and Accreditation, Department of the Navy (DoN) Information Assurance (IA) Publication, Module 5239-13 , December 2000	
✓	20	Guideline for Computer Security Certification and Accreditation, Federal Information Processing Standards Publication September 27, 1983 FIPS Pub. 102	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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[1] Unique citation designation number.

[2] See attached Kinds of U.S. Patent Documents.

[1] Unique citation designation number.

[2] Applicant is to place a check mark here if English language Translation attached.